

MINUTES SUMMARY OF THE COMMERCIAL FISHING INDUSTRY VESSEL ADVISORY COMMITTEE MEETING

HELD APRIL 03-04, 1997

A meeting of the Commercial Fishing Industry Vessel Advisory Committee (CFIVAC) was held at the United States Coast Guard Headquarters, Washington, DC. On April 3rd, working sessions were held by the Subcommittee on Voluntary Standards for U.S. Uninspected Commercial Fishing Vessels by Utilizing the Application of Prevention Through People (PTP) Principles and the Subcommittee on Stability Standards for Commercial Fishing Industry Vessels. On April 4th, the general meeting was held in room 2415. The meetings were announced in the Federal Register on Monday, March 3, 1997.

Representing the Coast Guard were RADM James C. Card, Assistant Commandant for Marine Safety and Environmental Protection, and CDR Adan Guerrero, Executive Director of CFIVAC.

The following Committee Members were present:

Julie Aydelotte	Richard Hiscock
Pete Aparicio	Leslie Hughes
Peggy Barry	Jimmie Martin
Linda Bonet	Dennis Potter
Joe Easley (Chairman)	Kathy Ruhle
Jane Eisemann	Larry Simns
James Herbert	Don Hall, Jr. (new member)

The following Committee Members were absent:

Kathleen Castro	Richard Gurnoe
Judith Ramos	

Chairman Easley opened the meeting and asked for any additional agenda items. Ms. Bonet mentioned the F/V ALEUTIAN ENTERPRISE issue. Ms. Peggy Barry mentioned the approval of the minutes, the old member business, and a reminder of the new business issues. Mr. Dennis Potter mentioned old business relating to the CG national newsletter.

RADM Card was introduced and proceeded to present an award to Mr. Greg Switlik for his contributions to the Committee. Following the award, RADM Card swore in Mr. Don Hall, Jr. as a new Committee member.

Introductory remarks were then given by Chairman Easley, RADM Card and CDR Guerrero.

RADM Card discussed the following topics: Thanks to Mr. Jeff Caimpa for bringing Marine Safety Office Portland's damage control simulator for the meeting (members received a brief during the subcommittee meetings on Thursday); Given the importance of the committee, it is proposed that two meetings be held a year; The increase in the death rate of commercial fishers and how that affected the Coast Guard goals found in the G-M Business Plan regarding Commercial Fishing Industry Vessels; How the Office of "M" is a leader with the Government Performance and Results Act (GPRA) with the Business Plan; Brief on the PTP Meeting held in Washington in March (Chairman Easley, Subcommittee Chairs Hughes and Martin attended); Will be leaving in May, RADM North will assume command of the Office of Marine Safety and Environmental Protection.

Update on STCW-F: CDR Guerrero briefed the committee on the present state of STCW & STCW-F. An Interim Rule is expected sometime around May. The Office of Management and Budget is analyzing potential domestic impacts of STCW on the fishing industry. In the Coast Guard Authorization Act of 1996, fish tender vessels were excluded from STCW by statute, however processor vessels are still included in the Interim Rule.

Discussion of 1996 F/V deaths : In 1996 there were 71 operational F/V deaths. That number was much higher than the projected number in the G-M Business Plan. In trying to assess statistical information, problems arose due to the lack of proper information in the MSIS data. Mr. Jim Herbert recommended more detail in the reports, such as the type of fishery, etc. Currently, there are no categories in MSIS for F/V type, fisheries type, etc. The committee agreed overwhelmingly that this type of information is critical to assessing which types of fishing vessels and which methods of fishing are the most dangerous. CAPT Jim Ruhle, F/V DARANA R, Wanchese, NC: stated that neither the USCG nor the government should blame the CFIVAC for the amount of deaths in the F/V industry. He said that although our efforts are getting better, due to the more stringent fish seasons and the decrease in the fish population, F/V owners are becoming more strung out and thus less safety conscious. He also made the point that most of his local fishing vessel owner associates did not renew their Voluntary Dockside Exam Decal because over the course of 1996, having the decal did nothing to expedite the USCG underway boarding process. He said that the decal was no longer necessary now that the CG has a revised boarding team check-off sheet; if a vessel looks in proper shape, the boarding team will be quick regardless if the vessel has a decal or not. He also stated that categorizing by fishing method must be more specific and regionalized. For example, categorizing under "crabber" is too general because a crabber in Maine is much different than a crabber in Seattle. Mr. Richard Hiscock brought up the issue of the Investigating Officer report done by a CG QAT. He inquired as to if and when the recommendations of the QAT would be implemented to better provide this type of information in the reports. Ms. Jane Eisemann also mentioned that some of the deaths that occurred on F/V weren't being reported as F/V casualties because the vessels weren't actually engaged in fishing when the accident occurred. Mr. Jeff Ciampa stated that he had grouped most F/V casualties into two "vectors"; one being Marine Safety (vessel) related, the other Industrial (fishing) related. Mr. Larry Simms stated that although there is a lot of discussion about making dockside examinations mandatory, he felt that they should stay voluntary. He cited that in the Chesapeake Bay, having a decal greatly reduced the time and depth of CG boardings; he stated that the program "is working" in his area. Ms. Julie Aydelotte agreed by saying that PTP must work in a voluntary setting. Mr. Hiscock stated that even if the CG couldn't make the Dockside Inspections mandatory, the NMFS might be able to assist by making F/V owners have a decal in order to obtain their Federal Fisheries Permit. Mr. Potter suggested that the USCG get more involved with the FCMA Fisheries Management Council. Chairman Easley and CDR Bobal will sort out the fishing types and applicable categories for Coast Guard reports. **Discussion of 1996 F/V deaths (cont'd):** Several members also argued that the narratives were far better at analyzing the accidents and that statistical calculations did nothing. It was suggested that the Marine Index Bureau might be helpful with analyzing the casualties. However, the MIB only covers insured vessels which would mean that all accidents on non-insured vessels would not be recorded.

Subcommittee Working Session on Updating Voluntary Standards of Uninspected Commercial Fishing Vessels found in Navigational and Vessel Inspection Circular (NVIC 5-86): Chairwoman Leslie Hughes gave a report on the status of Thursday's subcommittee meeting. The subcommittee separated initially into two working groups, one covering issues related to single person operators and the other on safety equipment, then they converged in order to tackle the more difficult issue of liferafts. Both working groups had nearly complete drafts to work on, thus only minor changes were performed. The theme of all three working groups was to reorganize each PTP placard to make them more compact, add information where possible, insert more bullets, add more graphics, and reduce the overall amount of text. The changes have been submitted to the PTP computer specialist and will be mailed out to each CFIVAC member when completed. It was recommended that each member might show the placards to local people within the industry in an effort to get the actual readers' opinions.

Subcommittee Working Session on Stability Standards for Uninspected Commercial Fishing Vessels: Chairman Jimmie Martin gave a report on the status of Thursday's subcommittee meeting. The subcommittee continued its work on the "Introduction to Fishing Vessel Safety" booklet. There were only minor changes to be made to this booklet. The subcommittee agreed that they had completed a good working "reference stability guide" with only minor changes to that as well. The subcommittee then focused its attention on the new 46 CFR Part 28 Subpart E - Stability. It was here that the subcommittee came to a major stumbling block. The subcommittee members, despite hours of discussion, could not come to an agreement on the definition on

"Substantial Alterations". The committee discovered that "Substantially Altered" is not written in the law as a definition, even though major conversion is defined. Some of the problem questions were: "How to apply it?"; "What does it mean?"; "How to identify it?" The subcommittee will continue to try and reword the definition until a good working answer is attained. Some of the other topics discussed were watertight integrity and subdivision, and stability testing for existing vessels less than 79 ft. In discussing stability, it was concluded that if a vessel is taking on water, then that vessel's stability is not the cause of the sinking but rather downflooding and lack of watertight integrity that will cause the vessel loss. As for vessels of less than 79 ft., there is a dilemma regarding what types of stability tests would be the most accurate and feasible as well as the most economical. Roll tests have been ruled out because the general public can't perform their own tests. Mr. Dave Green is in the process of developing some numerical models where a vessel's general dimensions can be compared with numerical data to assess that vessel's probable stability.

New Business:

F/V ALEUTIAN ENTERPRISE: Ms. Bonet informed the group that the government was not going forward with its prosecution of the three individuals named in the investigation of the sinking of the F/V ALEUTIAN ENTERPRISE. Ms. Bonet stated that she had knowledge of wrongdoing and was going to keep pressure on the U.S. Attorney's Office. From her knowledge of the events, she stated that one of the main problems that arose was the lack of any regulations governing the licensing or monitoring of Marine Surveyors or the surveyor's liability for falsely or improperly surveying fishing vessels. It was mentioned that in order for any type of regulation to be implemented, it must be started in Congress. Thus, since there is no congressional support for regulating Marine Surveyors, nothing will be done about it. Several committee members who testified before Congress in 1986 stated that there was a lot of discussion on insurance and surveying issues, but it was all dropped by Congress. Since there exists a large lobby for the insurance companies, it was suggested that Ms. Bonet try to get with that lobby to press this issue.

Committee Member Attendance: There was a motion brought to the floor by Mr. Potter for discussion regarding Committee members missing meetings and possible removal from the Committee. Originally, the idea was that if a member missed any two meetings they should be removed from the Committee. However, after discussing the issue, the motion was amended to: "Any Committee member who misses TWO (2) consecutive meetings shall be dismissed from the CFIVAC." It was also stated that in cases of accident or emergency, action would be at the discretion of the Chair.

New Member Briefings: A point was brought up that for new members, it took at least two to three meetings before that member had a good idea of what was going on. Mr. Jim Herbert volunteered to come several days early to any meeting in which there would be new members at their first meeting. The Coast Guard will take up Mr. Herbert on his offer and fund extra travel time to cover a "New Member Briefing" for the next meeting with the new slate of candidates.

News Release Issuance: Mr. Herbert made a motion that in keeping with past proposals, the CG issue a News Release to the major national and regional commercial fishing publications to emphasize the significant parts of this CFIVAC meeting, among those PTP, especially through the use of Damage Control Simulators such as MSO Portland's.

Coast Guard Communication: It was brought up by Mr. Richard Hiscock that the CG had several communication problems within its organization. The first being that the FCC had recently changed its regulations regarding FCC licenses for vessels. The FCC rule now states that an FCC license is not required for any radio or transmitting device on board any vessels which are not required to carry said radios or transmitting devices. Mr. Hiscock stated that the CG boarding officers in his region were still issuing violations for not having licenses because they had not been notified of the changes by Headquarters. Mr. Hiscock also stated that the CG Office of Policy & Law Enforcement (G-OPL) was reviewing and reanalyzing its 1993 Fisheries Enforcement Study but the 1st CG District had no idea that the study was taking place. Mr. Hiscock wanted to ensure that these communication problems be brought out and that some sort of notice would be sent out to all the Coast Guard Districts advising them of the recent FCC changes and also the Study.

Old Business:

National CG Fishing Publication: Mr. Potter stated that he still thought that it would be a good idea if the CG was to publish a national fishing safety periodical. The CG responded by saying that there is good information in the local publications of CG District and Marine Safety Office newsletters and that most of this information is shared and reprinted. Many regions reprint the good articles in their newsletters thus relaying good information throughout the country, without the use of a national publication. However, RADM Card stated that the CG will take the suggestion under advisement.

MERPAC Issues: Mr. Jim Herbert asked CDR Guerrero if there had been any recent information from MERPAC that had any affect on fishing vessels. CDR Guerrero stated that there have been no issues brought forth from MERPAC that had any affect on fishing vessels.

Coast Guard Training : Mr. Herbert made a motion that in support of PTP initiatives, the CG, in support of the CFIVAC, continue to disseminate the F/V deaths Summary Sheets, continue to foster damage control trainer development, and consider producing a video to further emphasize the training aspect of F/V safety. It was discussed that the CG has a very limited budget for these types of items, especially since producing a video is over \$20,000. In addition, RADM Card brought up the question as to whether or not a video was the best method for training. The CG will look into various economic strategies for training tools.

Approval of 1996 Seattle Minutes: Ms. Leslie Hughes brought up the point that the members during this meeting came to the consensus to terminate NVIC 5-86 and would like the minutes change to reflect this. Minutes approved with change.

Date/Location for next Meeting: Mid to late September 1997 in a location to be chosen at a later date.

Summary of Action Items:

1. The USCG will mail out all pertinent CFIVAC documents at least two weeks prior to each meeting.
1. G-MSE will complete revisions to the PTP placards and G-MSO-2 will mail them to each CFIVAC member and F/V coordinator by 15 June 1997.
1. Each CFIVAC member shall distribute copies of the PTP placards to members of the general public for analysis.
1. Mr. Dave Green will continue to try and create a useable definition of "Substantial Alterations" and continue working on a numerical model for assessing F/V stability.
1. Mr. James Herbert, as well as any new members, will be allowed to arrive several days early to the next meeting and will perform the "New Member Briefing." G-MSO-2 will provide logistical & funding support.
2. The G-MOC will send out a notice to District Coordinators information regarding the recent changes in the FCC regulations and the fishing study being conducted by G-OPL by 30 May 1997.
3. G-MSO-2 will perform an economic analysis to determine the location of the next CFIVAC meeting for this fall by 13 June 1997.

MOTIONS MADE DURING CFIVAC 97 MEETING

1. That any Committee member who misses TWO (2) consecutive meetings, unless by circumstances beyond his or her control, shall be dismissed from the CFIVAC, under the discretion of the Chairperson.

Motion made by Mr. Dennis Potter; seconded by Ms. Leslie Hughes. Passed unanimously by voice vote.

2. That the USCG issue a News Release to the major national and regional commercial fishing publications to emphasize the significant parts of this CFIVAC meeting.

Motion made by Mr. James Herbert; seconded by Mr. Dennis Potter. Passed unanimously by voice vote.

3. That the USCG, in support of the CFIVAC, continue to disseminate the F/V deaths Summary Sheets, continue to foster damage control trainer development, and consider producing a video to further emphasize the training aspect of F/V safety.

Motion made by Mr. James Herbert; seconded by Ms. Leslie Hughes. Passed unanimously by voice vote.

George Joe Easley CDR A. D. Guerrero
Chairman Executive Director

Encl: (1) Agenda

1. List of Attendees
2. Change to 1996 minutes, page 5